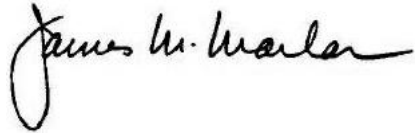


SIGNED.

Dated: November 1, 2012



James M. Marlar, Chief Bankruptcy Judge



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA

IN RE:)	Case No. 4:11-bk-30089-JMM
)	
RONALD R. FLORES)	Chapter 11
ANA L. FLORES)	
)	
)	
_____ Debtors)	MEMORANDUM DECISION

On October 31, 2012, this court held an evidentiary hearing on the value of a commercial office building (dental) owned by the debtors. The court listened carefully to the examination of two qualified real estate appraisers, and has studied each of the written appraisals. One appraiser, John Burdick, held the opinion that the subject property was worth \$265,000.00, on a comparable sale basis. Mr. Burdick was hired by the debtors.

The competing appraiser, hired by the mortgage lender, Michael Naifeh, felt that the value was higher, and using the same approach, felt the value to be \$350,000.00 in the current economic climate of Tucson.

However, using an income approach to value, Mr. Naifeh concluded that the fair market value was \$300,000.00. Mr. Burdick opined that, on this basis, the value is \$260,000.00.

The court has no independent ability, relative to comparable sales or income approach comparisons, to 'tweak' or 'second guess' the professional appraisals' opinions. A court can only select one, depending upon what it perceives the slight qualitative distinctions to be. Recognizing that reasonable minds can differ, the court must find that it was persuaded by one opinion only.

This court needs to find only one fact – its fair market value, considering a reasonable marketing period in Tucson’s current economy. Based upon its review of the evidence, the court finds that value to be \$300,000.00. A separate order will be entered.

DATED AND SIGNED ABOVE.